



Quality in Gender+ Equality Policies

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Report Analysing Intersectionality in Gender Equality Policies for the Czech Republic and the EU

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1. Introduction¹

This report deals with the importance and inter-connectedness of gender equality and intersectionality in gender equality policies in the Czech Republic. The report starts with a literature review on the theoretical and policy literature and debates in the Czech Republic, on which the report draws on. Thereafter follows an overview of the policies in the area of gender+ equality policies in the past ten years in the Czech Republic. Furthermore, the range of meanings or frames concerning gender equality in gender+ equality policies and the range of intersecting inequalities are described, which are the results of the frame analysis of 49 selected documents.

The aim is to assess the implications of intersections of gender with other inequalities (like ethnicity, religion, class, sexual orientation, age, disability, marital/family status and nationality/migrant status) for the quality of gender+ equality policies in the Czech Republic. Whether or not different versions of intersectionality have different implications for the meaning and practice of gender+ equality is discussed. Finally, changes and the relevance of different forms of intersectionality are identified and conclusions are drawn.

The main questions discussed are the following:

- What are the implications of the intersection of multiple inequalities for the quality of gender+ equality policies?
- How are inequalities and their intersections conceptualised in terms of their structure and mechanisms?
- To what extent does context matter in the (re)production of inequalities across Europe?
- What attention must be paid to other structural (in)equalities in the making and implementing of European gender equality policies?

First of all, it has to be said that the range of framings of gender equality in the Czech Republic is quite diverse and depends largely on the issue which is being considered. Gender equality is seen as most often connected to the issue of non-employment. However, in all the four issues² identified in QUING as related to gender+ equality policies, some analysed policy documents dealt with a relevant topic but did not take gender equality into consideration at all.

Furthermore, the range of meanings of intersectionality is very limited, since intersectionality is hardly visible in the Czech policy process. Intersectionality has not yet reached politics, policies and civil society. Among the 49 documents, twelve do not relate to any other inequality or intersectionality. This includes all four types of documents chosen for analysis (laws, governmental plans, parliamentary debates and civil society texts). This result is related to the selection of documents and the fact that the main focus of the research project is on gender equality. In the Czech Republic other inequalities are usually dealt with without including gender equality. In the few cases where several inequalities are recognised they are usually dealt with separately and not intersectionally. Therefore, the implications and consequences of intersectionality for gender equality remain limited.

¹ I am grateful to Karin Tertinegg for helpful comments on the draft of this report.

² General gender equality, non-employment, intimate citizenship and gender-based violence.

2. Literature review

This part identifies the main theoretical and policy literature and debates the report draws on. From the overview of the issues dealt with by literature, policies and debates, important questions can be developed for the case of the Czech Republic

This section mainly draws on the STRIQ review of intersectionality D13 by Sylvia Walby, the State of the Art report for the Czech Republic and more recent literature and reports (e.g. the 2008 NGO Shadow Report on equal treatment and equal opportunities for women and men).

Walby (2007, p.5) states that “theories of gender relations have long engaged with the phenomenon of intersectionality” but gender is a relatively new topic for the Czech Republic. Gender was introduced in the middle of the 1990s by international influence. Therefore, issues of intersectionality are relatively new for this country as well. Furthermore, Walby (2007, p. 21) mentions as one possible hypothesis for the existence of gender actors that employment and education of women deliver gendered actors. However, this is not the case for the Czech Republic. The Czech Republic has a long tradition of a highly educated female population and high level of activity of women in the workforce but there is no proper women’s movement and there are not many, if any, actors in the field of gender equality.

Intersectionality can be seen as an approach for “understanding the relationship between gender, race and other aspects of identity that are source of systematic discrimination. (...) Intersectionality is an approach to understanding the differences among women and men and the ways these differences interact to exacerbate marginalisation” (Riley 2004, p. 110). In the Czech Republic, the wish to understand the differences among women and men and how these differences interact is not very developed. As Mohanty points out in relation to intersectionality it is likely that “over-general categories” (Walby 2007, p. 9) are being used. This is the case in the Czech Republic in policy areas and work by NGOs in the area of gender+ equality. So far, it has been difficult to get recognition for gender as an important category and to get recognition for gender equality as a relevant issue. It is even more of a challenge to deal also with the differences among men and women and include intersectionality. Therefore, it is apparent that in the Czech Republic the issues of “over-inclusion” and “under-inclusion” according to Crenshaw are apparent.

The term 'over-inclusion' is meant to capture the occasion in which a problem or condition that is particularly or disproportionately visited on a subset of women is simply claimed as a women's problem. It is over-included to extent that the aspects of the circumstance that render it an intersectional problem are absorbed into a gender framework without any attempt to acknowledge the role that racism or some other form of discrimination may have played in contributing to the circumstance (...). A parallel problem to the over-inclusion problem is the problem of under-inclusion. A gender analysis may be under-inclusive when a subset of women who are subordinated experience a problem, in part because they are women, but it is not seen as a gendered problem because it is not the experience of women from the dominant groups. A more common site of under-inclusion occurs where there are gender distinctions among men and women within racial or ethnic groups. Often it seems that if a condition or problem is specific to women within a racial or ethnic group, and by its nature unlikely to happen to men (Crenshaw 2000, p. 7f.).

Over-gendered categories or over- and under-inclusive terms are often used in the Czech Republic. This makes it difficult to analyse intersectionality and its impact on gender+ equality policies properly.

In the Czech Republic mainly European and international organisations like the European Union (EU) and the United Nations (UN) brought the issue of gender equality to the agenda within the transition and transformation process (s. 3 The range of the meanings or frames concerning gender equality in gender+ equality policies, p. 7f).

Following the Beijing Platform for Action the first institutions dealing with gender equality were created in the country. Many changes in national legislation in this area were necessary because of the accession process to the EU. Sexual harassment only became a recognised problem with appropriate legislation because of the accession process. Furthermore, without the obligatory implementation of the EU’s directives on discrimination, the Czech Republic would probably not have tried to introduce the comprehensive Anti-Discrimination Act.

Furthermore, there are very few actors in the field of gender equality in the Czech Republic in general. The perception of gender equality issues has changed since the beginning of 1990s. Gender equality is now perceived as a relevant issue and gender is mostly taken into consideration. Since 1998 institutions have been created and National Action Plans developed, even though there is not yet sufficient financial support.

Among the few actors in the area of gender equality even fewer are working intersectionally. For example, the two NGOs Manushe³ und ProFem⁴ can be seen as actors that work intersectionally; Manushe is an organisation for Roma women and ProFem works with women suffering from domestic violence, the latter also works with migrant women.

In general, however, gender and other inequalities have not been treated as intersecting. One explanation for this might be that the creation of gender policies is very much influenced by the EU. Walby (2007, p. 24) points out that EU gender equality policy rarely comments on intersectionality therefore this might also explain the apparent lack of intersectionality in gender equality policies in the Czech Republic.

As a final remark it is important to point out that the existing research on policies and policy processes in the Czech Republic is not yet that comprehensive. Even less research exists on the process of the creation of gender equality+ policies. In general, among the four QUING-sub issues "non-employment" has had the most coverage in academic literature. The two issues "intimate citizenship" and "gender-based violence" have not received as much attention. Yet, in these two categories important changes in legislation took place during recent years therefore it can be expected that academic research in this area will also increase.

Domestic violence and registered partnership are the only issues where analyses exist of the involvement of the various actors on the state level, NGOs and others during the policy process. These are also the areas where NGOs have been the most active, so that might be an explanation for why the policy processes are so well-mapped.

³ <http://www.slovo21.cz/en/index.php?id=manushe>

⁴ www.profem.cz

General Gender Equality

In general, there is a lack of debate on general gender equality issues. Yet, research on general gender equality policies covers a vast area: it deals for example with the transposition of EU legislation, the role of women, equal treatment, discrimination, and the change of gender roles.

Academic studies in Czech language on general gender equality policies are rare. Usually, the studies have a specific focus on issues such as women in politics or women in the labour market. Furthermore, the focus of studies (in Czech or in English) is still mainly on the role of women and not on the interaction between men and women as such and the role of gender. Yet, increasing academic attention is paid to the role of men and their importance for achieving gender equality.

Since the Czech Republic became a candidate country and later a member of the EU in 2004, ever-growing comparative data and literature have been compiled, by academia, NGOs and international organisations. These take gender/gendered aspects into account. Gender segregated data hardly existed prior to the accession process, therefore it is difficult to compare data from before and after independence of the Czech Republic.

There are three main shadow reports⁵ on gender equality compiled by NGOs covering all four QUING-issues. Yet, these reports mainly focus on equal treatment and equal opportunities for women and men; they are not really dealing with other inequalities and intersectionality even though discrimination is discussed.

Non-employment

(Non-)Employment is the main focus of research in the area of national gender+ equality policies, even though the term non-employment is not yet used as a category. The focus is especially on the position of women in the labour market. Several national and international studies tackle this issue.

A large amount of the literature, also increasingly available in English, resulted mainly from the required changes during the EU accession process. The main demands by the EU for changes in legislation in the area of gender equality were dealing with the labour market; therefore the biggest changes happened in this area and the biggest amount of literature deals with this aspect. This has also been considered as relevant issues for gender equality. Other issues like intimate citizenship or gender-based violence have not been treated as topics important for gender equality.

Intimate citizenship

Intimate citizenship is increasingly discovered as a relevant issue. Several papers deal with very different issues such as the changes in marital law, the position of gay and lesbian people and the role of single parents. The topic has been covered by academia and by international organisations and activists. Moreover, the policy process of the acceptance of the same-sex partnership bill is very well-mapped.

Gender-based violence

Gender based violence is the least researched of the four QUING-issues. The topic of gender-based violence has been analysed by academia, NGOs and international organisations, but gender-based violence is not a term recognised or accepted on the policy level.

Articles on gender-based violence have been published in psychological and criminological journals and research in the area of domestic violence has been commissioned by the Ministry of Labour and Social Affairs. This has not yet received a broad following in academia, especially not in the English language. The issue of rape has also not yet attracted much attention in academic research. However, sexual harassment is increasingly studied and considered an important issue.

⁵ The newest NGO report can be accessed here: <http://www.proequality.cz/en/news.html?newsId=71>.

Conclusions

The following questions are the questions that are addressed in the research project QUING and are going to be addressed in this report:

- What are the implications of the intersection of multiple inequalities for the quality of gender+ equality policies?
- How are inequalities and their intersections conceptualised in terms of their structure and mechanisms?
- To what extent does context matter in the (re)production of inequalities across Europe?
- What attention must be paid to other structural (in)equalities in the making and implementing of European gender equality policies?

Furthermore, drawing from the context of the Czech Republic some more questions have been developed. More and more inequalities in addition to gender are becoming recognised and some initial, tentative conclusions on the consequences for the impact and furthering of gender equality can be drawn. Intersectionality has so far not been treated as relevant for policies or as a main focus, especially not in connection to gender equality. The following questions are also going to be addressed:

- Why is intersectionality, so far, invisible in the Czech Republic?
- What are the consequences for gender equality if other inequalities are recognised?

3. The range of the meanings or frames concerning gender equality in gender+ equality policies

In this section the range of the meanings or frames concerning gender equality in gender+ equality policies in the Czech Republic are analysed. First, a brief overview of the gender+ equality policies that are being discussed in the Czech Republic is presented⁶ and the importance of the four QUING-issues in the country discussed. It is important to note out that not all the issues which are treated as issues of gender+ equality policies within the framework of the QUING-project are seen as gender issues on the political level in the Czech Republic.

Then follows an overview of the range of meanings or frames concerning gender equality in the Czech Republic, divided into general gender equality, non-employment, intimate citizenship and gender-based violence.

Major shift occurs in gender equality+ polices in the Czech Republic in the QUING-period, these shifts concern paternity benefits and paternity leave, same-sex registered partnership, domestic violence and sexual harassment. The major part of these changes occurred after 2000.

Short overview of the development of policies in the area of gender+ equality policies

Since 1919 women have had the right to vote in the Czech Republic and since then gender equality has been written down in the constitution. In 1965 a law on equal treatment in the labour market became effective. A law for the basic abolishment of discrimination was passed in 1992; the labour law included equal pay for equal jobs.

In 1982 Czechoslovakia signed CEDAW. The Czech Republic took over the participation in CEDAW in 1993, when Czechoslovakia split into the Czech Republic and Slovakia. The Czech Republic signed the Beijing Declaration from 1995 and the Optional Protocol to the Convention in December 1999. This entered into force on 26 May 2001.

In 1998 the CEDAW evaluation of the Czech report stated that it reflects “an overarching tendency on the part of the Government to conceive of women as mothers and within the context of the family, rather than as individuals and independent actors in the public sphere. The Committee considers that such a perception is a major obstacle to the implementation of the Convention because it reflects a fundamental misunderstanding of such critical concepts as gender roles, indirect discrimination and de facto inequality”. Policies still mainly follow the perception of women as mothers and as belonging within the context of family.

During communism/socialism no comprehensive concept of gender equality existed in the Central and Eastern European Countries (CEEC). The general policy was that women were equal through paid work, which means that if women do have paid work, they do not need any extra measures to be situated equally to men. The socialist government declared “‘the woman question’ to be solved with the emancipation of women under socialism” (Waylen 1994, p. 344; s. also Heitlinger 1995, p. 88). But in fact, there existed no real gender equality since women’s responsibility for housework was never questioned (Einhorn 1993, p. 5; Łobodzińska 1995a, p. xv; Wolchik 1994, p. 221) and women were only marginally represented at the highest political level.

After 1989, many far-reaching changes took place because of the transformation from planned to market economy, from authoritarian rule to a democratic system and because of the opening up to the West. The political and economic transformations had many consequences for both men and women, but affected women to a greater extent than men (Pavlik 2003, p.11). The representation of women on the labour market remained high, but wage-disparities between men and women persisted as well. An alarming fact was the sudden drop in female representation on the political level after abolishing the quota system. Suddenly almost no women participated actively in politics. Moreover, there were no proper institutions working for gender equality. Because of the tradition of “women’s emancipation” under communism there existed a lack of interest in gender

⁶ This is based on the following two reports:

Röder, Ingrid (2008c). “D 19 Timelines of policy debates: Czech Republic”. QUING: Quality in Gender+ Equality Policies.

Röder, Ingrid (2008a). “D 40 LARG country report: Czech Republic. QUING: Quality in Gender+ Equality Policies.

equality-issues despite the existing inequalities and a lack of will to change things (Waylen 1994, p. 345; Heitlinger 1995, p. 95) both among society and political decision-makers.

That is why the recent development of (gender) equality law has been strongly influenced by the pre-accession process and the following accession to the EU. As one of the first candidate countries, the Czech Republic approved the relevant legislation of chapter 13 "Social policy and Employment" of the *acquis communautaire* with the exception of the area of social security. In general, gender equality laws were adopted because they were part of the EU accession requirements or international obligations. Discussions in parliament on gender equality were usually connected to EU-legislation, often with heavy opposition by the parliamentarians. For example, there were a lot of debates about the anti-discrimination bill. On the political level, not much support for the bill existed; the only argument in favour was that it is an EU-obligation which has to be transposed and otherwise the Czech Republic will be fined. That is why it is taking several years to get this bill accepted and transposed into national legislation.

The amendment to the Act on the Civil Procedure aligns legislation with the requirements of the *acquis* on the burden of proof in gender discrimination litigation cases; the amendments to the Wages Act and to the Salary and Bonus Act align legislation with the requirements of the *acquis* in regard to equal pay (European Commission 2000, p. 66).

In 1998 the National Action Plan (NAP) "Priorities and procedures of the government for the enforcement of the equality between men and women"⁷ was published, it was the first NAP of its kind. The NAP deals with seven areas based on CEDAW and contains 40 measures dealing with gender equality which are assessed and up-dated every year by the government according to current society needs. The "Summary report [of the NAP] on the fulfilment of the Government priorities and procedures for the enforcement of equality between men and women" is commented on by ministries and NGOs; their comments are taken into consideration. In 2007, under the new conservative government, the publishing of the Priorities was postponed twice.

In 2004 more laws to meet EU requirements were created or amended, e.g. the new Act on Employment, the Labour Code, the State Service Act and the Military Act all included some gender aspects.

The regulation of parental benefits and parental leave is now equal for men and women.

In 2006 the law on same-sex registered partnership was finally passed after several attempts, shortly before the up-coming elections. However, it does not set same-sex registered partnership on the same level as marriage; there are far fewer rights for a same-sex couple in a registered partnership than for a married couple.

Furthermore, in the area of domestic violence there has been continuous progress; the years 2004 and 2007 were turning points in this area as new legislation became effective. Violence in partnerships was now recognised as a crime and then the police was given the power to remove the violator from the home.

There has been progress in the area of gender equality legislation but a lot remains to be done. For example, the legislation on taxation which taxes spouses as couples rather than as individuals is a step backwards since it favours the traditional form of families.

Another focal point has been the anti-discrimination legislation. From 1995 onwards anti-discriminatory provisions were slowly put into legislation. A comprehensive anti-discrimination law has been prepared to implement EU-legislation. The main reason for its introduction was the necessity according to EU-legislation. The Bill was rejected the first time in the Senate in 2006. The Green party, a rather small party, was responsible for making the Anti-Discrimination Bill one of the priorities of the Czech government of 2007. In June 2007, the Anti-Discrimination Bill was approved by the government and then finally accepted by both chambers of the parliament in 2008. The president, however, vetoed the bill in May 2008, and a process to overrule the veto was initiated.

Since January 2007 and the acceptance of the new Labour Code there is a lack in the area of anti-discrimination legislation. The Labour Code explicitly refers all anti-discrimination issues to a new

⁷ The Czech title of the document is "Priority a postupy vlády při prosazování rovnosti mužů a žen".

Anti-Discrimination Law; however, that has not been adopted as yet. The last parliamentary meeting concerning the acceptance of the Anti-Discrimination bill took place on 21 October 2008.

General Gender Equality

There is no real understanding of the issue of “general gender equality” and what is connected with it even though gender equality is increasingly perceived as an important issue. Gender equality is usually treated separate from other equalities.⁸ The promotion of equality has existed for a long time but the existing legislation usually only applies to the state and not the individual, it applies to private companies to an even lesser degree. Without the acceptance of the Anti-Discrimination Act there is currently a lack of anti-discrimination legislation (since January 2007 and the enactment of the new Labour Code).

Non-employment

Non-employment, or rather employment, is one of the main issues connected with gender equality in the Czech Republic. Reconciliation of work and family life, equal pay and tax-benefit policies have been the most important issues. The main institution dealing with the issue of non-employment is the Ministry of Labour and Social Affairs (MLSAF).

The MLSAF prepares the yearly National Action Plan for Employment and has done so since 1999. Yet, there is no gender expert in the working group that prepares these plans. This can explain the lack of gender sensitivity in the reports. Several NGOs dealing with gender equality are active in the area of non-employment, maybe because most of the funding focuses on this issue.

Reconciliation of work and family life is one of the topics of the annual Human Rights Reports by the Council for Human Rights of the Czech Republic, issued since 1998. One issue that is often criticised is the inflexibility of the labour market and the scarcity of part-time jobs in the Czech Republic. In fact, only 2% of Czech men and 8% of Czech women work part-time. Little is done to change this situation. Care and informal work are not discussed much, and rarely from a gender perspective.

The gender pay gap has not been tackled on the political level even though the gender pay gap has been increasing in the Czech Republic. Equal pay is an issue in the media but not so much on the political level. In 2006 there was a small state campaign on the gender pay gap but without any billboards. The national public awareness campaign sought to erase gender stereotypes and to promote more women to senior posts in both the public and private sectors but it is not known how much impact it had.

There is still a differential age⁹ for pensions and differential treatment with regards to life insurance, calculated according to the life expectancy of women and men. The target retirement age of 63 for men and for women without children will be reached after December 31, 2012. The retirement age for women with children will be between 59 to 62 years, according to the number of children raised.¹⁰

⁸ More about other inequalities and discrimination: Bouckova, Pavla (2005). Report on measures to combat discrimination. Directives 2000/43/ec and 2000/78/ec. Country Report. Czech Republic. http://ec.europa.eu/employment_social/fundamental_rights/pdf/legnet/csrep05_en.pdf. E-text. 61p.

⁹ In 1995, the Act on Pension Insurance (No. 155/1995 Coll.) was adopted. It contains conditions concerning entitlement to and the calculation of old-age pension. It specifies uniform rules to determine the amount of old-age pension for men and women, with the exception of the age of eligibility for old-age pension. In 1995, the retirement age for old-age pension was 60 for men and 53-57 for women, depending on the number of children they had reared. The adoption of the Act on Pension Insurance in 1995 began the process of the gradual increase in retirement age, by two months a year for men and four months a year for women up to 2007, at which point the retirement age for men will be 62 and for women 57-61. The faster rate of increase for women will reduce the differential in retirement age for men and women.

¹⁰ <http://www.ssa.gov/policy/docs/progdesc/ssptw/2004-2005/europe/czechrepublic.html>

Since 2006, more attention has been paid to gender relevant aspects of taxes. Previously, it was a neglected issue. Legislation is gender-neutral in wording; men and women are only treated differently concerning social provisions, e.g. childcare. Parental allowance exists since 1990 (Act. No. 382/1990 Coll. on parental allowance) when it replaced the maternity allowance. The maternity allowance was only exclusively available for a mother caring for children up to three years of age, since then it has been available for either parent. In 1990 parental leave for fathers was introduced in the Czech legislation, but truly equal conditions for both mother and father were only introduced in January 2001. However, the current tax system still favours "traditional" families.

The legislation concerning foreigners is changed nearly every year, matching the changing policies of the Ministry of the Interior. In general, the situation of foreigners is not the best in the Czech Republic, but this affects both men and women. There are no gender-relevant aspects of the existing legislation; only that the ban of polygamy does not concern women. In 2006 the government adopted a new priority in its *Priorities*: the analysis of migration and integration policies as they concern gender equality.

Intimate Citizenship

Intimate citizenship is not really an issue that is seen as connected to gender equality in the Czech Republic. The following two sub-issues of intimate citizenship have received the most attention: gay marriage and reproductive rights.

In the Czech Republic, the main changes have taken place in the area of same-sex relationships through the regulation of registered partnership. Already in 1992/3, the Cabinet drafted a set of amendments to the Civil Code; however, the articles on same sex relations were rejected. After continuous lobbying and several other attempts to introduce a bill on registered same-sex partnerships, the law was finally approved in 2006. This can be seen as a big success even though the law on registered partnerships does not include the same rights as the marriage legislation.

Abortion was legalised in Czechoslovakia in 1957, although with restrictions. The restrictions depended on the current policy of the government. In 1986 the restrictions were lifted resulting in an increase of the number of abortions. In general, the public in the Czech Republic supports legal abortion. Yet, in 2004 there was a discussion on changing the legislation on abortion. It was the first motion of this kind since the transition period. MPs received many emails supporting a change to make abortion illegal; the ones supporting the right to abortion did not petition at the time because they assumed abortion to be a basic right. Since MPs at first got only mails against the right to abortion they thought about changing the existing legislation. Finally, the NGO Gender Studies made a petition to support the right to abortion and in the end the bill to change the existing legislation was rejected.

Gender Based Violence

On the political level domestic violence has received the most attention, but it is not treated as a gender issue even though it has been recognised as a problem for equality between men and women.¹¹ Before 1989 and the years afterwards there were no regulations concerning domestic violence. There was no awareness, neither politically nor publicly, that this is a specific problem. The existence of domestic violence was denied at first, and its importance downplayed by the general public and experts as well as by the media and representatives of the state responsible for addressing the problem. The issue of domestic violence remained taboo in the Czech Republic until the mid-1990s.

Until 1998 the government thought that specific legislation on violence against women was not necessary (CEDAW 1998). Progress in this area is mainly due to the accession to the EU, international conventions and the activities of NGOs. "Repression of violence against women" has been part of the Government Priorities and Procedures for the Promotion of Gender Equality since 1998. The duty of the Czech Republic is to solve the issue of violence against women using

¹¹ Ministry of Labour and Social Affairs. *Domácí násilí jako součást problematiky rovnosti žen a mužů*. <http://www.mpsv.cz/cs/914>. Accessed: September 2008.

standards established by UN international treaties, especially the Convention on the Elimination of all Forms of Discrimination against Women.

Until 2004, the Czech Republic did not have a specific law that addressed the problem of domestic violence. The years 2004 and 2007 were turning points in this area because new legislation became effective. The first change recognised violence in partnerships as a crime, the second change gave the police the power to remove the violator from the home.

There is no national action plan to combat violence against women in the Czech Republic and there are no specialised legislative instruments governing violence against women, even though the protection of women is an integral part of criminal law, social and family law and the civil code. There has been a lot of progress in the past few years, but a complex law on domestic violence is still missing.

The issues sexual assault and rape are non-issues in the Czech Republic. There is only one crisis centre for raped women. The issue of sexual harassment is not covered by NGOs. What is often considered normal behaviour or "harmless fun" in conversations would definitely classify as sexual harassment in other countries. When the first bill on sexual harassment was first debated in parliament 5-6 years ago, the quality of the debates was very low. Men and women said that they do not need any provisions because Czech women are so smart that they can defend themselves. Women are supposed to dress in a certain way to be liked by men; all feminists are ugly and that is why they are not in danger of being harassed.

Initially, anti-trafficking measures only targeted women, portraying women as victims. Data from 2004 shows that the Czech Republic is a country of origin, transit and destination for trafficking. Women are trafficked from the former Soviet Union, the Balkans, Eastern Europe and Asia into the Czech Republic, and often onward to primarily Western Europe for sexual exploitation. Since the world-wide view on trafficking changed it also changed in the Czech Republic. Trafficking is no longer seen as a women-based problem, but includes all forms of forced labour, not only forced sexual labour. The numbers of men and women trafficked in the Czech Republic for forced labour are equal. Migration and human trafficking are seen as complex problems that do not affect men and women differently even though some aspects of migration are clearly gender-relevant. The Czech Republic has not yet ratified the UN-Palermo-Protocol/Convention.

Forced marriage, honour crimes and Female Genital Mutilation (FGM) are non-issues in the Czech Republic. No data is collected in these areas and there is no awareness of the issues within the country. The Criminal Code does not contain any special provisions on genital mutilation.

In more than half of the analysed documents (27) equality is the main frame; that means that for 22 documents equality is not the main frame and the focus is more on human rights, economic development, capabilities/well-being, crime and justice or health.

3.1 The range of the meanings or frames of gender equality in general legislation and machinery

Twelve documents were analysed for the issue of general gender equality and 14 super texts produced. The main issues the texts focused on were equal opportunities, the Anti-Discrimination Bill and the creation of a new institution dealing with equal opportunities.

The following list shows the selected documents according to their relevance to the issues covered in the area of general gender equality in the QUING-project:

General gender+ equality legislation (new legislation of general importance, e.g. transposing EU Directives)

The three documents on the European Year of Equal Opportunities have been chosen because they show the state of current politics in the area of equal opportunities/gender+ equality well. The strategy outlines what is being proposed, the speech by the Prime Minister shows what the real current attitude of the government towards equal opportunities is and the protest note by the NGOs shows that NGOs are reacting and are trying to influence current policies. Since it is a strategy put together by the Office of the Government there was not much discussion in parliament. That is why a parliamentary debate on the Anti-Discrimination bill was chosen; the Anti-Discrimination law has to be adopted to ensure the conformity of Czech legislation with the EU Equality Directives, but this has so far not been successful because of strong opposition within

the country. The Anti-Discrimination bill is still being discussed and changed; the first attempt to pass it failed and the second attempt was vetoed by the president. It is not certain when the bill will be adopted. The new Labour Code, valid since the beginning of 2007, does no longer contain any specific regulations concerning anti-discrimination, but instead refers to the (still-pending) Anti-Discrimination bill. Therefore, the law category has been left empty.

Governmental policy report or plan

> Office of the Government of the Czech Republic (2007). The National Strategy of the Czech Republic for the European Year of Equal Opportunities for All. Towards a Just Society and Priorities for the European Year.

Debate in parliament (plenary or Committee)

> 1. Čtení proběhlo 10. 2. 2005 na 41. schůzi. Návrh zákona přikázán k projednání výborům (usnesení č. 1466). Vládní návrh zákona o rovném zacházení a o právních prostředcích ochrany před diskriminací (antidiskriminační zákon) /sněmovní tisk 866/ - první čtení (The first reading was held on 10.2. 2005 in the 41 session. Bill ordered for the hearing of the Committee (Decision Nr. 1466). Government bill on equal chances and on legal mediums for protection against discrimination (Antidiscrimination law)/Parliamentary Press 866).

Civil society text

> NGOs (2007). Protest note of non-profit organisations against the speech given by the Prime Minister Mirek Topolánek on the occasion of launch of the European Year of Equal Opportunities for all. Other

> Topolánek, Mirek (2007). Speech for the Opening of the European Year of Equal Opportunities.

General gender+ equality machinery (new institutions, reforms, integration of gender and other inequalities' machinery)

The interpellation text by MP Hana Orgonikova in 1997 was chosen because this was the first and most important parliamentary impulse to create institutions dealing with gender equality; the reason for the interpellation was the failure of the government to fulfil the obligations of the Beijing Platform for Action from 1995. Following the parliamentary action, the Unit for Equal Opportunities at the Ministry for Labour and Social Affairs was founded in 1998 as well as the CEDAW-Committee at the Government Council for Human Rights in 1999. The interpellation started a change in policies. Institutions which were founded later were mainly founded by government decree and no bigger parliamentary discussion (Government Council for Equal Opportunities and Gender Focal Points). The civil society texts ask concretely for the establishment of a Government Council for Equal Opportunities in 2001 and the government decree establishes this Council.

Law

> Government of the Czech Republic (2001). Resolution of the Government of 10 October 2001 No. 1033 on the establishment of the Government Council for Equal Opportunities for Women and Men.

> Government of the Czech Republic (2001). Annex to the Resolution No. 1033 of October 10, 2001: Statute of the Government Council for Equal Opportunities for Women and Men.

Governmental policy report or plan

> Ministry of Labour and Social Affairs (2002). Part II "Submission Report" of the Summary Report on the Fulfilment of "Government Priorities and Procedures in Enforcement of the Equality of Men and Women" in 2001.

Debate in parliament (plenary or Committee)

> Parlament České Republiky, Poslanecká Sněmovna (1997). Interpelace, Poslankyně Hany Orgoníkové na Předsedu Vlády Václava Klause ve věci Postavení Žen ve Společnosti (Parliament of the Czech Republic (1997), Interpellation by MP Hana Organikova to the president of the government Vaclav Klaus on the issue of the position of women in society).

> Odpověď Předsedy Vlády Václava Klause na Interpelaci. 16. dubna 1997. (Answer of the president of the government Vaclav Klaus to the interpellation. 16. April 1007).

> Odpovědi členů vlády na písemné interpelace poslanců. 3. července 1997 (Answers of members of government to written interpellations by MPs. 3 July 1997).

Civil society text

> Asociace pro rovné příležitosti, Unie katolických žen a Český svaz žen (2001). Vyzýváme Vládu: Založte Výbor Pro Rovné Příležitosti! (Association for Equal Opportunities, Union of Catholic Women and the Czech Women's Union (2001). We appeal to the government: Found a Committee for Equal Opportunities).

> Asociace pro rovné příležitosti, Unie katolických žen a Český svaz žen (2001). Řekněte "Ano" Rovným Příležitostem! Zvedněte Dnes Ruku Pro Založení Rady Vlády Pro Rovné Příležitosti Mužů A Žen! (Association for Equal Opportunities, Union of Catholic Women and the Czech Women's Union (2001). Say yes to equal opportunities. Hold up your hand today for the establishment of a Government Council for Equal Opportunities for Men and Women).

Nine super texts see gender as relevant; however, in six texts out of those nine it was not possible to say if gender is seen as a biological or social category. Three texts do not refer to gender at all; two of them deal with the Government Council for Equal Opportunities, the resolution to create it and its statute. These are technical documents listing the functions of the institution; therefore, it might be understandable that gender is not mentioned explicitly. The third text is from the Parliamentary Debate on Anti-Discrimination.

There are several underlying norms in diagnosis. The most often named are "gender equality" and "efficiency". Others named are "equality", "political responsibility", "objectivity", "democracy" and "reality".

In diagnosis several norm-groups are mentioned: "men", "France/Belgium/Denmark/Germany", "women until 1989", "Western Europe", and "EU". "Men", a gendered category, is mentioned the most often (seven times in six texts).

The underlying norms in prognosis are the following three: "gender equality", "efficiency" and "equality".

No norm-groups are referred to in the prognosis.

Target groups in prognosis are the largest number of actors (40 different actors), covering a wide range of different groups. The most often used are gendered categories; for example, "men" and "women" but non-gendered terms like states (e.g. "Czech Republic", "EU member states"), state officials (e.g. "regional administrators") and groups ("migrants"), are mentioned. Intersectional groups are rarely identified but they appear ("Roma women"; "gays"; "lesbians").

Responsible actors in prognosis are mainly institutional actors ("government", "individual ministries" etc.). Single persons ("submitter of the bill", "speaker"), research organisations and "Czech Society" in general are named. No gendered or intersectionalised terms are used.

Active actors are countries ("Czech Republic") or institutions ("parliament", "ministries") and individuals ("person caught working illegally"). No gendered terms are used and no intersectionalities are present.

Passive actors include institutions like the "UN" or "Court" but they are usually personalised. Gendered terms are used; "women" are mentioned most often as passive actors (33 times in ten texts). They also appear as an intersectionalised category ("Women of more than 50 years", "Roma women", "Women with disabilities").

Responsible actors are mainly institutions ("government") or functional actors ("Minister of Labour and Social Affairs"). Neither gendered nor intersectionalised terms are used.

This shows that target groups and passive actors can be gendered but active actors responsible actors are usually not.

The governmental texts are written by institutional bodies like the government or a ministry. The NGO-texts are written by several NGOs, not by one person or organisation alone. The texts by NGOs demand gender equality, but governmental voices are also lobbying for gender equality.

One gender-difference can be distinguished among the texts chosen from politicians: the texts by male politicians (parliamentary debate, other) are usually opposed to gender equality/equality opportunities and female voices lobby for it.

Eight super texts do not see gender equality as relevant; instead they focus on equal opportunities, the status of women or the creation of institutions. These could be seen as sub-issues of gender equality, but the texts do not speak about gender equality or name it as an aim. This means that gender equality can be present in the policy but is simultaneously made invisible.

The main frame used is equality (apart from the text "Resolution 1033"); economic development as a frame can be traced but is of minor importance.

3.2 The range of the meanings or frames of gender equality in non-employment

For the issue of non-employment 15 documents were analysed and 15 super-texts produced. The issue of non-employment includes mainly the following sub-issues: pension policies, the changes to the Act for Foreigners, care work and home-based work, the reconciliation of work and family life and the gender pay gap.

The following are the selected documents according to their relevance to the issues seen as related to non-employment in the QUING-project.

Tax-benefit policies (including social insurance; active labour market policies e.g. to re-integrate after unemployment, disablement/sickness, parenting; pensions, including care component of state pension and age of retirement; special attention to exclusions from benefits through partnership and citizenship status e.g. lone parents, migrants)

In the Czech Republic there was a huge discussion about the assimilation of the pension age of men and women; that is why a debate on the law and the act have been chosen for analysis. To illustrate current policies on that matter, a part of the National Action Plan was chosen. To show another important issue in the Czech policy process, a civil society text against changes of the Czech Foreign and Asylum Acts was selected; the focus is on benefits for foreigners concerning reproduction, care for children and social benefits.

Law

> Sbírka Zákonů (1995). Česká Republika. "Zákon za dne 30. června 1995 o důchodovém pojištění". Částka 41. Act. No 155/1995
(Collection of Laws (1995). Czech Republic. "Law from the day of the 30 June 1995 on pension insurance. Journal Nr. 41. Act. No 155/1995).

Governmental policy report or plan

> Government of the Czech Republic (2004). National Action Plan for Employment for the period 2004 – 2006.

Debate in parliament (plenary or Committee)

> Vládní návrh zákona, kterým se mění zákon č. 155/1995 Sb., o důchodovém pojištění, ve znění pozdějších předpisů, zákon č. 582/1991 Sb., o organizaci a provádění sociálního zabezpečení, ve znění pozdějších předpisů, a zákon č. 189/2006 Sb., kterým se mění některé zákony v souvislosti s přijetím zákona o nemocenském pojištění /sněmovní tisk 153/ - druhé čtení.
(Bill which changes Law Nr. 155/1995 about pension insurance, in the later written version, Law Nr 582/1991, about organisations and the administration of social security, in the later written version, and law Nr. 189/2006 which changes some laws in relation to the context of health insurance/Parliamentary Press 153/- 2nd reading).

Civil society text

>Declaration of Czech non-governmental organisations regarding the impending changes to the amendment of the Czech Foreign and Asylum Acts. 8.6. 2007.

Care-work (including care for children, elderly, disabled; work that includes: unpaid and paid work in the home (domestic work), state provision, privately purchased care, voluntary provision; special attention to use of migrant/minoritised labour)

The labour code outlines working conditions for employees taking care of a child or another person; in the National Family Report the situation of people who are taking care of others is discussed. Nonetheless, care-work has not been much of an issue on the political level, so there are no debates in parliament or speeches or concept papers by MPs on this issue; therefore there is no document in the category of parliamentary debate.

Law

> Labour Code No. 262/2006. "Division 3: Working conditions for female employees, employees-mothers, employees taking care of a child or another person".

Governmental policy report or plan

> Ministry of Labour and Social Affairs of the Czech Republic (2004). National Family Report

Civil society text

> Šindlerová, Ivana (2006). Women and Home-based Work in the Czech Republic.

Policies for the reconciliation of work and family life in employment (including maternal, paternal and parental leave (including for adoption); flexible hours working including for breastfeeding; part-time working)

Maternity and parental benefits belong to the Sickness Insurance Act. There was a process of equalisation of maternity and paternity benefits therefore this Act and a related parliamentary debate was chosen. The national concept for family policies outlines the policies in this area and the civil society text assesses the effectiveness of it, pointing out the problems which existed before the new act on sickness insurance was adopted.

Law

> Sbírka Zákonů (2006). Česká Republika. "187 zákon za dne 14. března 2006 o nemocenském pojištění". Částka 64. 11. Rozeslána dne 12. května 2006: "Hlava IV Peněžitá pomoc v mateřství". (Collection of Laws (2006). Czech Republic. "Law 187 from the 14 March 2006 on Sickness Insurance". Journal Nr. 64. In force since 12 May 2006: "Chapter IV Financial help during maternity leave").

Governmental policy report or plan

> Ministry of Labour and Social Affairs. Národní koncepci rodinné politiky (National concept for family policies) (2005).

Debate in parliament (plenary or Committee)

> Parlament České republiky - Poslanecká sněmovna (2005). 51. schůze, 21. prosince 2005. Vládní návrh zákona o nemocenském pojištění /sněmovní tisk 1005/ - třetí čtení. (Parliament of the Czech Republic – Chamber of Deputies (2005). 51 session, 21. December 2005. Government bill on sickness insurance/parliamentary press 1005/-third reading).

Civil society text

> Marksová-Tominová, Michaela (2003). "Chapter III Social Services and women's employment" in: Marksová-Tominová, Michaela. Gender assessment of the impact of EU accession on the status of women and the labour market in CEE. National study: Czech Republic. Prague: Gender Studies.

Gender pay gap and equal treatment in employment (equal pay is seen to legitimately influence women's decision as to whether or not to be in employment; including implementation of equal pay and equal treatment legislation; other mechanisms e.g. pay audits; addressing occupational segregation)

The law and the action plan briefly discuss the issue of the gender pay gap. Yet, it is not a major topic in Czech politics. That is why there were no discussions on this issue on the parliamentary level; as an additional document an initiative by a Czech MP and head of the Parliamentary Committee for Equal Opportunities on the level of the Council of Europe was chosen to show that there is some knowledge of the issue on the Czech parliamentary level. The shadow report analyses critically the state of current policies in this area.

Law

> Sbírka Zákonů (2004). Česká Republika. "435. Zákon ze dne 13. května 2004 o zaměstnanosti" Částka 143. Rozeslána dne 23 července 2004.

Collection of Laws (2004). Czech Republic. "435. Law from the day of the 13 May 2004 on employment". Journal Nr. 143. In force since 23 June 2004).

Governmental policy report or plan

> Government of the Czech Republic (2004). National Action Plan for Employment for the period 2004 – 2006 (approved by the Government of the Czech Republic on the 14th July 2004 by Resolution No. 696).

Civil society text

> Pavlík, Petr and Lenka Simerska (2004) "Ensuring equal treatment of women and men in access to economic activity" in: Pavlík, Petr (ed.). Shadow Report on equal treatment and equal opportunities for women and men. Prague.

Other

> Čurdova, Anna (2007). Initiative: The gender pay gap. Council of Europe, Parliamentary Assembly. 18 April 2007.

Twelve texts out of 15 see gender as relevant. Three times it is not possible to say if gender is seen as biological or social. The three texts which do not consider gender include the analysed parts of the National Action Plan for Employment, the NGO text on the changes of the Foreign Act and the Family report.

The most often named underlying norms of the problem are "efficiency" and "equality". References are also made to "demographic development", "humanity", "responsibility" and others.

Not many underlying norms could be identified for the objective. The most often named underlying norm of the objective is "positive demographic development" (mentioned twice in one document). Also "efficiency", "equal treatment", "human rights", "political responsibility" and "social development" are mentioned. However, these underlying norms are only named once.

Norm-groups for the problem are mainly gendered. "Men" are the most mentioned norm-group of the problem (17 times in four documents). Also "women", "mothers" and "young people" are referred to, but these groups only appear each in one document.

There are no norm-groups for the objective.

The target group assembles the biggest amount of different actors (15); the target group includes only groups of people ("employers", "families"). Gendered categories are used ("fathers", "mothers", "men" and "women"). Only the term "pregnant employee" can be seen as intersectionalised.

The responsible actors consist mainly of institutional actors like the "Ministry of Labour and Social Affairs" and the "government". The "state" is referred to the most often (14 times in two documents). Responsible actors are also groups of people ("participants in legal relations", "members of the government"). The only term which can be seen as gendered is "women's NGOs". No intersectionalised terms are used.

Active Actors are mainly institutions (“state”) or groups (“employers”). Gendered terms like women and men are used. The only term which can be seen as intersectional is “female employee”.

Passive Actors cover a wide range of actors, but they do not include institutional actors. The actors named are groups of people (“disabled persons”, “employer”, and “employee”). Gendered terms like “women” or “same-sex partner” are used. “Women” is the most often named category (33 times in seven documents). Some of the passive actors can also be considered intersectional (“active mothers”, “foreign women”).

Norm-groups for the problem and target groups as well as active and passive actors can be gendered; again, responsible actors are not gendered.

The governmental texts are texts by institutions (the government, the parliament, the Ministry of Labour and Social Affairs). Two texts have been signed by several actors: the Gender pay gap initiative (by several European MPs) and the NGO declaration on changes to the Act for Foreigners (by single persons, NGOs and institutions). The other three civil society texts are by single voices representing NGOs. No specific differences between NGOs and governmental texts or differences between texts by men and women are apparent.

Seven documents out of the 15 do not see gender equality as relevant. These texts are spread over the whole time period, all document types and over the whole range of issues.

Equality is the main frame in eleven documents but economic development also plays a big role, so does capabilities/well-being.

3.3 The range of the meanings or frames of gender equality in intimate citizenship

Nine documents were analysed for the issue of intimate citizenship. The analysis produced twelve super-texts.

The range of sub-issues is quite diverse, from reproductive issues to same-sex registered partnership to families with children (the situation of children after divorce). The biggest category is the same-sex registered partnership issue (five super-texts). Three super-texts are dealing with child custody and four are dealing with reproductive issues (pregnancy and abortion). Even though these sub-issues are so different, no striking differences can be found between actors/location/norms of the sub-issues; that is why they are treated together in this text.

The following are the documents which were selected according to their relevance to the issues seen as related to intimate citizenship in the QUING-project:

Divorce, marriage and separation: conditions under which divorce is legally possible; the regulation of post-marital relations; child custody; matrimonial property (including pensions)

The Family Act deals with the organisation of relations within families; the report of human rights discusses the changes in this area. There have not been major parliamentary debates on these issues therefore this category has been left empty. In the shadow report family and marriage conditions are analysed.

Law

> Sbírka Zákonů (1998). Česká Republika. 210 Zákon o Rodině. Částka 73. 11. Rozeslána dne 11. září 1998.

(Collection of Laws (1998). Czech Republic. 210 Family Act. Nr. 73. In force since 11. September 1998): Section 26(4) and (5) of the Family Act deal with child custody.

Governmental policy report or plan

> Government Council for Human Rights (1999). “Child custody after divorce” in: 1999 Report on the State of Human Rights.

Civil society text

> European Roma Rights Centre, League of Human Rights, and Gender Studies. 2006. “Family and Marriage” in: Shadow report to the committee on the elimination of all forms of discrimination against women for the Czech Republic.

Sexual orientation discrimination and partnering: discrimination in employment and in the sale and supply of goods and services e.g. adoption; civil partnerships (including partner rights on crossing borders for residence, employment, education)

The law from 2006 on registered partnerships was the first of its kind for the Czech Republic; therefore there were huge discussions and many interactions going on between NGOs and the government as well as parliamentary debates. The most important of these have been chosen for analysis.

Law

> Sbírka Zákonů (2006). Česká Republika. "Zákon ze dne 26. ledna 2006 o registrovaném partnerství a o změně některých souvisejících zákonů" Částka 38. Rozeslána dne 3. dubna 2006. Act No 111/2006

(Collection of Laws (2006). Czech Republic. "Law from the day of the 26 January about registered partnership and of changes of some laws which are connected to it". Journal Nr. 38. In force since 3 April 2006. Act No 111/2006.

Governmental policy report or plan

> Odpověď předsedy vlády ČR ze dne 6. srpna 2003

(Answer of the chairman of the government of the Czech Republic on 6 August 2003 to the letter of the LG activists).

Debate in parliament (plenary or Committee)

> Senát. 26. Leden 2006. Těsnopisecká zpráva z 9. schůze Senátu Parlamentu České republiky. Návrhu zákona o registrovaném partnerství a o změně některých souvisejících zákonů.

(Senate. 26. January 2006. Stenographic report of the 9 session of the Senate of the Parliament of the Czech Republic. Bill on registered partnership and on changes of related laws).

Civil society text

> LG aktivisté: Dopis LG aktivistů předsedovi vlády ČR ze dne 28. července 2003 (Letter of Lesbian and Gay activists to the chairman of the government of the Czech Republic on 28. July 2003).

Reproduction including abortion, and assisted reproduction: limitations to legality and availability of abortion; discrimination in assisted reproduction on the basis of sexual orientation and partnership status; crossing borders for abortion or assisted reproduction

The relevant law regulating abortion is from 1986, from the period before the time investigated in the QUING-project. Other reproduction issues have not yet become issues for legislation; therefore the law category has been left empty. There exists no national governmental policy report or plan dealing with reproduction and that is why the official CEDAW-report has been chosen here. For the parliamentary debate a debate on a proposal to prohibit abortion has been chosen which shows well the attitude towards abortion in the Czech Republic; this proposal also caused a lot of attention in the public and the media. For the civil society category a text reacting to the bill on the abolishment of the right to abortion has been chosen.

Governmental policy report or plan

> United Nations Committee on the Elimination of Discrimination against Women (2004): Third periodic report of states parties: Czech Republic.

Debate in parliament (plenary or Committee)

> Karase, Jana Kasala a Petra Plevy na vydání zákona, kterým se zrušuje zákon České národní rady č. 66/1986 Sb., o umělém přerušení těhotenství, a vyhláška ministerstva zdravotnictví ČSR č. 75/1986 Sb., ve znění vyhlášky č. 467/1992 Sb., a kterým se mění zákon č. 140/1961 Sb., trestní zákon v platném znění /sněmovní tisk 376/ - první čtení. 30. března 2004.

(Proposal by MPs Jiří Karas, Jan Kasal und Petr Pleva on the editing of a law which abolishes the law by the Czech national government Nr. 66/1986 about the possibility of the abortion of pregnancies, and the edict of the Ministry of Health of Czechoslovakia Nr. 75/1986, in the version of edict Nr 467/1992, and which changes law Nr. 140/1961, criminal law in the actual version/ Parliamentary Press 376/ - first reading. 30 March 2004).

Civil society text

> Gender Studies (2004). Petice vydaná Gender Studies, o.p.s., jako reakce na návrh zákon leglativního zákazu interrupcí, který byl projednáván začátkem roku 2004, 6.2. 2004. (Gender Studies (2004). Petition issued by Gender Studies, o.p.s., as a reaction to the bill on the legalisation of the abortion law, which was heard early in the year 2004. 6. 2. 2004).

Gender is seen as relevant in eight super texts. Five times it is treated as biological. In four super texts gender is not considered (Law 210, Klaus' answer, the letter by the LG Liga and the abortion appeal). These are texts from 1998, 2003 and 2004 so this can not be set in relation with the time but rather with the positioning of the issue.

There are several norms apparent concerning the problem statements; they are very diverse and cannot be easily grouped together. The most often named is "efficiency", followed by "truth" and "responsibility". "Human rights" and related values are also seen as important.

In relation to problems no norm-groups are mentioned explicitly.

Looking at the objectives no underlying norms or norm-groups could be identified.

Target groups are identified, but not to a large extent; the only institutional actors are "government" and "court". Otherwise, the target groups are categories of people; the most often used is "public" (seven times in three documents). Gendered terms are used like "homosexual citizens" or "pair of the same gender". There are no intersectionalised target groups.

Responsible actors are identified but not gendered; apart from personalised actors like "MPs" and the "Prime Minister" they are mainly institutions like the "court", the "Ministry of the Interior", "parliament"; only seven actors are mentioned. There are no intersectionalised actors among the responsible actors.

Active Actors include institutions ("court", "church") and groups ("MPs", "people"). A gendered term, which is also intersectional, is "Czech women".

Among the Passive Actors "society" is most often mentioned (13 times in four documents). Gendered terms are used like "women", "same-sex partners". As intersectional categories can be regarded "fathers", "mothers", "pregnant women" and "Romani parents".

Again target groups can be gendered, but responsible actors not; also active and passive actors can be gendered.

Seven texts are by institutional bodies (NGOs or governmental bodies); the rest of the texts are by single identified persons, either MPs or activists representing NGOs. There is no strong difference in positions between governmental and NGO-texts.

There is only one sub-issue where there is a distinctive difference between female and male voices: the abortion debate. In the selected and analysed texts of this debate only male MPs supported the proposal to abolish the right to abortion; only female voices were analysed as objecting to it (female NGO-actors, female MPs).

Concerning the other sub-issues no distinctive difference between female and male voices can be identified. Support for the same-sex registered partnership bill came both from parliamentary and governmental voices as well as NGOs; however, the parliamentary speeches make it clear that there existed strong opposition to this issue.

Gender equality is mainly not seen as important. Only one text, the text dealing with child custody after divorce, sees gender equality as relevant.

Equality is the main used frame here but it does not include gender equality and the texts do not refer to it explicitly; in the parliamentary debates concerning the abolishment of legal abortions it is not at all present. Human rights and capabilities/well-being are also important frames.

3.4 The range of the meanings or frames of gender equality in gender based violence

12 documents were analysed for the issue of gender-based violence; 17 super-texts were produced.

The texts cover the following three main sub-issues: domestic violence (six texts), sexual harassment (seven texts) and trafficking (four texts). There is not a big difference between the governmental and the NGO-texts in analysing the single sub-issues.

The following are the documents which were selected according to their relevance to the issues seen as related to gender-based violence in the QUING-project:

Domestic violence, including: definition of domestic violence as between intimate partners or wider family (including elderly and children); civil law orders e.g. non-molestation orders, ouster injunctions; crime; health; human rights; variations by minoritised group

The latest change of law in the area of domestic violence was chosen as well as the parliamentary debate taking place during the process of changing the legislation. The governmental policy report is a summary report about the success of the policies combating violence. The Shadow Report to the governmental CEDAW report from 2006 covers the development in domestic violence well.

Law

> Sbírka Zákonů (2006). Česká Republika. "135. Zákon ze dne 14. března 2006, kterým se mění některé zákony v oblasti ochrany před domácím násilím" Částka 46. Rozeslána dne 14 dubna 2006.

(Collection of Laws (2006). Czech Republic. "Law from the day of 14 March 2006, which changes some laws in the area of protection of domestic violence. Journal Nr. 46.

Governmental policy report or plan

> Summary Report on the Fulfilment of the 'Priorities and Procedures of the Government in Promoting the Equality of Men and Women' in 2005. (2005). "Combat violence perpetrated against women".

Debate in parliament (plenary or Committee)

> Návrh poslanců Jana Kasala a dalších na vydání zákona, kterým se mění některé zákony v oblasti ochrany před domácím násilím /sněmovní tisk 828/ - druhé čtení. 25. listopadu 2005. (Proposal by MP Jan Kasal and others on the publication of a law which changes some laws in the domain of protection against domestic violence/parliamentary press 828/ - second reading. 25. November 2005).

Civil society text

> European Roma Rights Centre, League of Human Rights, and Gender Studies (2006). Shadow report to the committee on the elimination of all forms of discrimination against women for the Czech Republic.

Sexual assault, including: rape, marital rape, sexual assault/abuse; stalking; and sexual harassment

The new Labour Code, in force since the beginning of 2007, includes sexual harassment and the CEDAW report analyses progress in this area. The Senate debate was chosen because on 10 December 2005 the first attempt to change the Labour Code was vetoed by the Senate, as a majority of senators objected to the use of the term sexual harassment (45 out of 66 voted to return the bill to the Chamber of Deputies for review). The civil society document briefly discusses what sexual harassment is and what can be done against it.

Law

> Zákoník Práce (Labour Code) 262/2006 (2006). "Chapter IV: Equal treatment, prohibition of discrimination and consequences of breaches of rights and duties arising from labour relations".

Governmental policy report or plan

> United Nations Committee on the Elimination of Discrimination against Women (2004): Third periodic report of states parties: Czech Republic.

Debate in parliament (plenary or Committee)

> Senát (2003). 2. den schůze (10. prosince 2003). Návrh zákona o uznávání odborné kvalifikace a jiné způsobilosti státních příslušníků členských států Evropské unie a o změně některých zákonů (zákon o uznávání odborné kvalifikace) /senátní tisk č. 212/, po bodu Návrh zákona, kterým se mění zákon č. 65/1965 Sb., zákoník práce, ve znění pozdějších předpisů, a zákon č. 312/2002 Sb., o úřednících územních samosprávných celků a o změně některých zákonů /senátní tisk č. 219/.

(Senate (2003). Report from the second day of the 12th session, 10 December 2003: Bill about approved skilled qualifications and other qualifications valid for citizens of member states of the European Union and about changes of some laws (law about approving skilled qualifications)/Senate Press Nr. 212/, after the part of the bill, which changes law Nr. 65/1965, Labour Code, in the later written version, and law Nr. 312/2002, about civil servants of regional self-governing areas and about changes of other laws/Senate Press Nr. 219): Discussion on sexual harassment.

Civil society text

> Půl na půl: Rovné příležitosti žen a mužů (2006). Sexuální obtěžování.
(Half and half: Equal opportunities for men and women (2006). Sexual Harassment)

Forced marriage, female genital mutilation, 'honour' crimes and trafficking for sexual exploitation; ability to cross borders to seek refuge/asylum on grounds of gender-based violence.

In 2004 the Criminal Code was amended with a novelisation of the article on trafficking in human beings. Before the amendment, it only dealt with trafficking for sexual intercourse purposes. It now includes everything according to the UN-Protocol on forced labour. In this way, the Czech Republic broadened its understanding of trafficking. The national Strategy is the most recent strategy in the fight against trafficking. Yet, there was no extensive parliamentary debate on the novelisation or the national strategy. That is why there is no document for the parliamentary debate. Instead there has been included as "Other" a speech at the CEDAW-committee by the Czech Deputy Minister of Labour and Social Affairs which outlines the efforts of the Czech Republic in this area. The NGO La Strada published recommendations to the government in 2004 for the improvement of the situation in the area of trafficking.

Law

> Sbírka Zákonů (2004). Česká Republika. "537. Zákon ze dne 29. července 2004" Částka 148. Rozeslána dne 22 října 2004.
(Collection of Laws (2004). Czech Republic. "537. Law from the day of 29 June 2004" which changes several laws of the criminal code including the definition of trafficking. Journal Nr. 143. In force since 22 September 2006).

Governmental policy report or plan

> Ministry of the Interior, Security Policy Department (2005). National Strategy of the Fight against Trafficking in Human Beings (for the period of 2005 - 2007). Civil society text

- La Strada Czech Republic (2004). Recommendations to the government of the Czech Republic on the issue of trafficking in human beings – perspective of a non-governmental non-profit organisation. Prague: La Strada Czech Republic.

Other

> General Assembly WOM/1582 (2006). "Czech Deputy Minister tells anti-discrimination committee of stepped up efforts to protect women against violence, trafficking, workplace exploitation".

> Sajda, Čestmír Sajda (2006). "Statement by the Head of the Delegation of the Czech Republic". 36th session of the Committee on Elimination of Discrimination against Women.

Twelve super texts see gender as relevant. In ten of them, it is difficult to define if gender is seen as biological or social. Five do not consider gender (analysed part of the "Priorities", analysed part of the CEDAW-report, one parliamentary debate on sexual harassment, Law 537 and the statement by Sajda).

Several underlying norms of the problem (31) can be identified. The most often used is "efficiency" (17 times in seven documents). "Equality", "equal rights" and "relations between men and women" are also referred to.

In the problem, several countries are seen as a relevant norm-group: "Austria", "Germany", "Slovakia", and "Spain".

Concerning objectives only three underlying norms could be identified: "efficiency", "quality of life" and "human rights".

There are no norm-groups mentioned for the objective.

The target-group is a relatively small group (12). It is a mixture of countries ("Czech Republic"), groups of people ("employees") or single persons ("expelled person"). The only gendered term which is used is "women" (once in one document). No inter-sectionalised actors are mentioned.

Responsible actors are the biggest group (31). They are mainly institutional actors ("Embassy of Sweden", "Minister for Labour and Social Affairs", "police" etc.). No gendered or inter-sectionalised terms are used.

Active actors are groups like "feminists" or institutions like the "Constitutional Committee of the Parliament". They also include gendered terms like "men" and "women". There are no intersectional actors.

The most often named passive actor is "society" (17 times in seven documents). Otherwise passive actors mainly include groups of people ("accused person", "employer" or "MP") or groups of people ("foreigners from Bulgaria", "children"). Three gendered terms are used: "women," "men" and "mothers". There are no intersectional actors.

This is unlike the other three issues because both, target groups and responsible actors, are mainly not gendered, but active and passive actors include gendered actors.

The governmental texts are by institutional actors (for example, the Ministry of Labour and Social Affairs and the Ministry of the Interior); NGO texts are written in the name of several NGOs; only the text on sexual harassment is signed by one NGO, but also in the name of individual authors for this NGO. The governmental texts and the NGO texts do not really oppose each other; the NGOs point out possibilities for further governmental action.

An odd voice, also for the parliament, is the analysed speech by MP Kubera who states that he is not sexist but develops arguments against feminists exactly on the basis of sexism; he used these arguments during the parliamentary debate on the bill on sexual harassment. Sexual harassment is, according to Kubera's opinion, only seen as a problem by ugly, sexually unsatisfied (female) feminists.

Concerning the parliamentary debate on the amendment related to domestic violence there is no difference among the analysed female and male speakers; all support the amendment.

For the debate on sexual harassment only male speakers were analysed; three of them oppose the bill but each of them for different reasons (sexist arguments, legal arguments and ethic arguments).

Five documents see gender equality as relevant (two parliamentary debates on domestic violence, the part of the Labour Code analysed, one parliamentary debate on sexual harassment and the civil society text on sexual harassment).

Equality is the main frame in three texts only (in one parliamentary debate on sexual harassment, the civil society text on sexual harassment and the part of the Labour Code analysed). The most important frame is "crime and justice". "Human rights" and "health" are also referred to.

3.5 Summary and comparison

As has been shown above the range of the meanings or frames of gender equality is very diverse and depends on the various sub-issues. Most texts consider gender, but it is often hard to decide whether gender is seen as a social or a biological category. Even if the texts consider gender, they do not necessarily include gender equality. In general, “women” are the most often mentioned actor, 80 times in 24 texts (out of 49). Usually, target groups are gendered and responsible actors are not. Norm groups can also be gendered. Active and passive actors can also be gendered. The issue of gender-based violence is an exception to this as the analysed documents mainly point to non-gendered actors in all the actor categories, in target groups, responsible actors, active and passive actors.

In all issues texts were analysed which do not see gender and/or gender equality as relevant. In the issues of Intimate Citizenship gender equality is only seen as the most important frame by one document, the text dealing with child support. Yet, equality is the most common frame for all issues; gender equality is, however, not always included.

4 The range of intersecting inequalities

This section will help to address the question of the significance of context of intersecting inequalities for the development of different kinds of gender+ equality policies.

Class is, at the moment, not treated as such an important issue in the Czech Republic, neither by politicians nor NGOs. The Czech Republic was one of the most egalitarian communist countries¹² therefore a class system only really developed again after 1989. Because of the transition from a planned-market system to a free market-based system, class became an important issue. The working class and farmers were the ones losing out during this transition whereas the professional and entrepreneurial classes gained.¹³ The term “class”, however, is not well regarded; it is now more often discussed in relation to weak social groups and in connection to other characteristics like region, immigrants, Roma, old people.¹⁴ Women’s organisations are mainly concentrated in Prague (which has nearly no un-employment and faces very different problems than the other regions) and therefore the inclusion or importance of class is often overlooked. The only organisation that might be working with the class issue is the Czech Women’s Union since it includes many rural women and women from the regions.

The other main important inequality axis is “ethnicity”, especially concerning the Roma issue¹⁵. There is a National Action Plan on Inclusion for 2004-2006, which deals with exclusion based on ethnicity/race, disability and age. The Czech Republic also participates in the international initiative “2005 – 2010 Decade of Roma Inclusion”.. However, these plans do not include gender and were therefore not analysed in this report.

There is no competition among equalities as such. Yet, during the accession process, the Roma issue received the most attention, publicly and financially. It was one of the priorities during the accession process; therefore, projects focusing on Roma received large amounts of money both from the state and the EU. Projects dealing with gender equality, however, hardly received anything.

Other inequalities are recognised, but dealt with separately from gender. The only category where intersectionality is evident is ethnicity, e.g. Roma women. This is not intersected with religion since religion does not play a huge role in the Czech Republic; it is classified as one of the most secularised countries among the CEECs¹⁶. Furthermore, the number of Islamic inhabitants or immigrants is still very low.

Politicians do not pay much attention to intersectionality; civil society organisations mainly ignore the issue of intersectionality as well. There are only singular civil society organisations that take into account several inequalities at the same time, but they do not necessarily take intersectionality into account. Therefore, it can be said that civil society organisations are not ‘better’ at ‘doing intersectionality’ than state bodies.

One of the few organisations considering several inequalities is the NGO “Poradna pro občanství, občanská a lidská práva”¹⁷ (Support for citizenship, civic and human rights). It deals with discrimination in general, mainly focusing on gender equality, minorities and sexual orientation. In

¹² Mateju, Petr, Blanka Rehakova and Geoffrey Evans (1999) “The politics of interests and class realignment in the Czech Republic, 1992-1996”. In: Evans, Geoffrey (ed). *The end of class politics: class voting in comparative context*. Oxford: Oxford University Press. p. 236.

¹³ Mateju, Petr, Blanka Rehakova and Geoffrey Evans (1999) “The politics of interests and class realignment in the Czech Republic, 1992-1996”. In: Evans, Geoffrey (ed). *The end of class politics: class voting in comparative context*. Oxford: Oxford University Press. p. 234.

¹⁴ I owe this assessment to Barbara Havelková.

¹⁵ Another issue that might have made the intersection of gender and ethnicity visible is the issue of forced sterilisation of Roma women. Since 1991, coercive sterilisation is illegal. Until September 2005, 87 victims of coercive sterilisation have come forward. The overwhelming majority of the victims of coercive sterilisation were Romani women. Several actors took up the fight against coercive sterilisation and in a report published in 2006, the Ombudsman found that the claims of the women were mainly justified. In its final resolution of 25 January 2006, the Minister’s advisory body stated “there were errors in the performance of sterilization, but this was not a nationwide phenomenon, only an error by specific healthcare facilities”. However, the issue of forced sterilisation did not fit exactly the QUING-criteria and was therefore not chosen for analysis.

¹⁶ Norris, Pippa and Ronald Inglehart (2004). *Sacred and Secular: Religion and Politics Worldwide*. New York: Cambridge University Press. p. 128.

¹⁷ <http://www.diskriminace.cz/dr-uvod/>

addition, the NGO ProFem¹⁸ organises courses for unemployed women who suffered under domestic violence. These courses are now available for migrant women as well. ProFem also tries to cooperate with NGOs dealing with refugees.

The only organisation of minoritised women is the women's group Manushe¹⁹ (member of the Czech Women's Lobby which is a member of the European Women's Lobby) which is a section of the NGO Slovo 21. The aim is to create educated, independent, emancipated and self-confident Roma women who are able to voice their needs and demands and to stand up for them.

Last year alliances were occasionally created between several organisations dealing with different inequalities. One alliance was created concerning the proposed amendment of the Foreign Act; however, the petition failed and the contested amendment was adopted. Another alliance was formed in reaction to the Prime Minister's speech on the occasion of the opening of the European Year of Equal Opportunities. There was no reaction from the governmental level to the opposition by the civil society organisations but at least the issue also reached the awareness of the European Women's Lobby.

Organisations mainly work by strands; for example, the Czech Helsinki Committee deals with several issues like "women", "foreigners" and "seniors", but separately.

Therefore, it has to be said that intersectionality in general is not very apparent on the policy level in the Czech Republic. The main intersections are gender/employment status and gender/ethnicity.

In the selected documents, intersectionality is rarely referred to but several inequalities are present. However, 15²⁰ out of 49 documents do not refer to any intersectionality axis.

General gender Equality

Intersectionality is present in the texts dealing with general gender equality: the most often identified intersectionality axis is marital/family status (in five texts). There are two texts without any reference to intersectionality. These are from the parliamentary debates.

In general, intersectional actors are rare among norm groups, target groups, responsible actors and passive and active actors; they only appear in the target groups and the passive actors.

The text referring to the most inequalities is the National Strategy of the Czech Republic for the European Year of Equal Opportunities for All (2007) - Towards a Just Society and Priorities for the European Year (2007). It includes Ethnicity, Religion, Sexual Orientation, Age, Disability, Nationality/Migrant status; however, it treats them separately and not as inclusive categories.

Non-employment

Intersectionality is seen as relevant for the issue of non-employment, but again mainly only the axis of Marital/family status is referred to (in twelve texts). In the documents no intersectionalised actors could be identified among norm groups, target groups and responsible actors. However, among active and passive actors intersectionalised actors could be identified.

The analysed part of the Employment act refers to all inequality axes; also one of the analysed parts of the National Action plan refers to all inequalities apart from religion and class. However, it does not deal with them intersectionally.

Apart from the text "Gender assessment of the impact of EU accession on the status of women and the labour market in CEE. National study: Czech Republic" the civil society texts do not really refer to any other inequalities.

¹⁸ <http://www.profem.cz/>

¹⁹ <http://www.slovo21.cz/en/index.php?id=manushe>

²⁰ One parliamentary debate on the Anti-Discrimination Act; Resolution 1033; Statute of the Government Council for Equal Opportunities; Interpellation by Hana Orgonikova; Answer by Vaclav Klaus; Press Release on the Council of Equal Opportunities; Parliamentary Debate on the Interpellation; Gender Pay Gap; Parliamentary Debate on abortion; Act on domestic violence; one part of the Labour Code; one part of the CEDAW-Report; two Parliamentary Debates on Sexual Harassment; Law 537 on trafficking.

Intimate Citizenship

The main intersectionality axes considered are sexual orientation (six super texts) and marital/family status (nine times). In the documents, no intersectionalised actors could be identified among norm groups, target groups and responsible actors. Active and passive actors include intersectionalised actors.

The document referring to the most inequality axes is the Act on same-sex registered partnership. It considers sexual orientation, age, marital/family status and nationality/migrant status and other inequalities; however, it deals with them separately.

Gender-based Violence

The main intersectionality axis which is considered is Marital/family status (in seven documents). However, the documents dealing with gender-based violence do not really deal with intersectionalities. Two texts show no intersectionalities at all (Act on domestic violence and one parliamentary debate on sexual harassment). Among all the documents in this issue no intersectionalised actors could be identified among norm groups, target groups, responsible actors, active and passive actors. Therefore, the actors are the least intersectionalised in this issue.

The text dealing with the most inequality axes is the civil society document on sexual harassment; all inequalities are referred to. Yet, again, they are dealt with separately and not intersectionally.

5 What are the implications of different versions of intersectionality for the meaning and practice of gender+ equality?

In general, intersectionality is not very apparent in the chosen documents of Czech policies and civil society. Therefore, the implications of intersectionality for gender+ equality are not very widespread. The main focus is on the intersection of ethnicity and gender, as the Roma issue is important in the Czech Republic.

5.1 Inequalities in general gender equality legislation and gender machinery

Legislation and machinery deal with equalities separately. However, the approval of the Anti-Discrimination law (expected in 2008) might change that. If approved, one single comprehensive law would deal with several discrimination grounds and inequalities. This might have consequences for the machinery because the responsibility for the several issues has to be located at the institutional level, probably with the Ombudsman.

The newly created position (in 2007) of the Minister without portfolio responsible for Human Rights and Minorities works on human rights and minority issues as well as gender equality/equal opportunities. However, the issues are dealt with separately. Furthermore, as this position is situated at the Office of the government it has not the same powers as a ministry; there is no guarantee that the position will still exist after the next elections (Open Society Fund 2008, p. 30).

The equality body previously situated at the Ministry of Labour and Social Affairs has been given a more prominent standing, was moved under the supervision of the government in 2007 and is headed by the Minister for Human Rights and Minorities. Previously, no minister was especially responsible for this issue. The equalities are not regarded as intersecting.

No inequalities are named/seen to have a specific impact on gender equality or as being part of gender+ equality.

When intersectionality is mentioned, it is mainly a reference to the existence of certain groups.

The most often identified intersectionality axis is marital/family status (in five of twelve texts), but few other axes can be identified.

Intersectionality is marginal to the policy; there is no particular tendency for intersectionality to be present in particular types of documents. If documents deal with equal opportunities or discrimination they discuss several inequalities, but usually discussing them separately and not intersectionally.

Intersectionality as an issue is not raised by NGOs, at least not in the analysed documents.

5.2 Intersections in non-employment

In the analysed texts there is no apparent focus on different employment rates among women by minority ethnic or religious group (religious groups also do not play a very important role in the Czech Republic).

In general, only the different employment rates between women and men are taken into consideration; however, the difference is not very big. Differences in employment rates amongst women and men by ethnicity, religion, sexual orientation and disability are not taken into consideration. To the category "age" more attention is being paid because of the influence of the Lisbon Strategy.

Intersectionality is seen as relevant, but mainly only the axis of Marital/family status is referred to (in twelve texts out of 15).

Intersectionality is marginal to the policy; it is only a reference to existing groups.

There is no apparent tendency for intersectionality to be present in particular types of documents.

5.3 Intersections in intimate citizenship

Intersectionality is not the main focus of the Intimate Citizenship documents.

Class, age and disability do not figure in the sub-issues.

In issues concerning immigration, the inequality axis of “race” becomes apparent. For example, the Act for Foreigners deals with the possibility of marriage etc. for foreigners; therefore ethnicity is important. Other issues do not consider this inequality. However, while the Act for Foreigners considers the ethnicity axis, the gender axis is then no longer so prominent.

Marriage and same-sex partnership are framed in relation to ethnicity, or rather in relation to citizenship/migrant status.²¹ Non-Czech persons do not necessarily have the same rights as Czech persons concerning these regulations. There are discussions on the political and civil society level about the issue of “fake marriages” and how legislation deals with it.

No inequalities are explicitly named as having an impact on gender equality or as being part of gender+ equality.

The main inequalities considered are sexual orientation (six super texts) and marital/family status (nine times).

Intersectionality is not central to the policy. It is merely a reference to the existence of such groups.

5.4 Intersections in gender based violence

The term “gender based violence” is not recognised on the political level. The issue is dealt with under the label “domestic violence”.

Only the NGO ProFem treats domestic violence as gender based violence since the statistics show that the victims of domestic violence are overwhelmingly women and the perpetrators are overwhelmingly men.

Apart from gender there is no specific inequality that could be identified around a certain type of violence.

Services around gender based violence are not directed to specific groups or people related to categories.

No inequalities are named/mentioned as having an impact on gender equality, or as being a part of gender+ equality.

The following two terms are mentioned once: “men presenting the majority of perpetrators” and “women presenting the minority of perpetrators”. At least in this document the causes of violence are related to specific categories; this is from the statement of MP Eva Dundáčková during the parliamentary debate on a proposal by MP Jan Kasal and others on the publication of a law which changes some laws in the domain of protection against domestic violence. Otherwise, the causes of violence are not related to specific categories in the analysed documents.

The documents dealing with gender-based violence do not really deal with intersectionalities. The main intersectionality axis considered is Marital/family status (in seven documents). Two texts show no intersectionalities at all (Act on domestic violence and one parliamentary debate on sexual harassment). The text dealing with the most intersectionalities is the civil society document on sexual harassment; all inequalities are referred to. The actors are not intersectionalised actors in any of the analysed documents.

Intersectionality is marginal to the policy. It is not even used as a reference to the existence of specific groups and mainly absent from the documents. The invisibility of these groups therefore supports Crenshaw’s basic argument. However, this shows that there is need for a closer look at these policies and categories. It can be a sign that over-inclusive terms or over-general categories are used.

²¹ I am grateful to Karin Tertinegg for pointing out the difference between ethnicity and citizenship/migrant status.

5.5 Summary and comparison

The focus on intersectionality is largely ephemeral in all four issues. The main intersectionality axis that is considered is marital/family status. The other axes are rarely taken into consideration.

Intersectional actors can be identified, but mainly in target groups and active and passive actors. The issue of gender-based violence has no intersectional actors at all. The few intersectional actors are “Roma women”, “female employee” and “active mother”.

Therefore it can be stated that the focus on intersectionality is not yet embedded in gender+ equality policy.

There are very few definitions and practices of gender equality and even fewer definitions and practices of intersectionality. Therefore, whether or not the meanings of intersectionality change the meanings of gender equality cannot be stated.

There is an absence of intersectionality in the documents analysed. Intersectionality is not yet a source of controversy and debate in gender+ equality policies. It is not yet recognised as important.

Such a finding could be expected. There are very few gender equality actors in general and even fewer are working intersectionally. An explanation for this might be that gender policies are heavily influenced by the EU. Walby (2007, p.24) remarks that EU gender equality policy rarely comments on intersectionality, which might explain the apparent lack of intersectionality in gender equality policies in the Czech Republic.

However, there is already one example of the focus on other inequalities diminishing the focus on gender equality. For example, in issues dealing with immigration, gender is no longer that prominent for policy making. Another example (as mentioned above) was the situation during the European Year of Equal Opportunities in 2007: no funds were given to women’s organisations; therefore, in the end the government during this year funded no gender equality projects.

6 Identifying changes and the relevance of different forms of intersectionality

6.1 Changes in general legislation and machinery

Gender issues have become more noticed and more important in the Czech Republic. In general however, intersectionality has not become more present.

In 2007, with the change of government, the machinery was moved and the position of Minister for Human Rights and Minorities was created.

The Unit for Equality between Men and Women, placed in the Department for Integration into the European Union (1998) since 1998, at the Ministry of Labour and Social Affairs, is responsible for the coordination of the government's policies on gender equality and for the harmonisation of the Czech legislation with EU law. The Unit also serves as the Secretariat for the Governmental Council for Equal Opportunities²². It was moved to fall under the supervision of the government in 2007 and is headed by the Minister for Human Rights and Minorities. This can be seen as a merger of gender equality with other equalities (the issues of race/ethnic minorities and sexual minorities); however, the different equalities are dealt with separately. The merger has not had any consequences for gender equality policies yet.

With the up-coming adoption of the Anti-Discrimination Bill further changes and mergers might occur. The adoption would mean that one comprehensive piece of legislation would deal with all inequalities. It is also likely to expect that one single institution, the Ombudsman, will be responsible for all inequalities.

6.2 Changes in non employment

Demographic change has influenced the debate concerning the equalisation of the pension age. However, sexual orientation, race or class do not yet play an important role.

No significant 'turning points' appear to have influenced the treatment of intersectionality in non-employment policies.

In general, intersectionality has not become more present during the analysed period.

6.3 Changes in intimate citizenship

No significant 'turning points' appear to have influenced the treatment of intersectionality in intimate citizenship policies.

Ethnicity plays a role as another inequality axis, but not class, age or disabilities.

In general, intersectionality has not become more present during the analysed period.

6.4. Changes in gender based violence

No significant 'turning points' appear to have influenced the treatment of intersectionality in gender-based violence policies.

Among the four QUING issues, intersectionality is the least considered in gender-based violence documents. All actors are not intersectional actors. Other inequalities, such as ethnicity, class, age or disability, are rarely taken into consideration.

In general, intersectionality has not become more present during the analysed period.

6.5 Summary and comparisons

Not many changes and the relevance of different forms of intersectionality can be identified in the Czech Republic. Intersectionality is not very present or dominant in any of the four issues.

²² According to the government declaration NGOs are always invited to participate in the Governmental Councils, but in varying numbers. It is in the power of the minister to decide how many Councils there are and how many NGOs he/she is inviting.

Related to gender equality machinery, there is a movement in the direction towards intersectionality. However, even there the different equalities are dealt with separately.

There were no specific turning points in any other issue which made intersectionality more present. Gender equality and other inequalities are usually dealt with separately as intersectionality is still not a widely recognised issue.

7 Conclusions

It is difficult to say what the implications of different versions and forms of intersectionality are for the quality of gender+ equality policies in the Czech Republic since intersectionality is rarely present in the analysed documents.

In general, inequalities are dealt with separately. Their intersections are not conceptualised in terms of structure and mechanisms. Institutionally, there is only the Minister of Human Rights and Minorities who is responsible for gender equality, but the Ministry deals with the different equality issues separately.

Context matters in the (re)production of inequalities across Europe. Institutional context, legal tradition and history are also very important. The EU-influence in the area of anti-discrimination is decisive in the Czech Republic. The state is still a relatively new democracy, therefore all inequalities are not yet taken into account. In addition, the EU is only slowly moving towards addressing multiple inequalities, moving from a predominant focus on gender inequality (Verloo 2006, p. 214).

Another structural inequality, which is very important for the Czech Republic, is the issue of regional – city difference. The capital has nearly no unemployment whereas the regions have problems with employment. This also affects the gender situation. However, this did not appear in the analysed documents. One reason for this can be that gender equality is usually treated separately from other inequalities and other inequalities usually do not consider gender.

A tentative suggestion as to why intersectionality is invisible in the Czech Republic is that the main influence in this area is the EU, and intersectionality is not yet so developed on the EU level.

Furthermore, the issue of gender equality is opposed or neglected by the current Czech government; the focus is on equal opportunities, which is mainly used as an excuse to neglect gender equality. The problem is that gender has not yet really arrived and other inequalities are already coming in and pushing the focus away from gender equality. So far, for the case of the Czech Republic, it can be said that other inequalities take away the focus from gender equality. They are not treated intersectionally but as more or less important.

There are many issues of gender+ equality policies that are not yet seen as related gender+ equality. Intersectionality is visible in the analysed documents, but only marginally. The issues related to gender-based violence in particular require a deeper analysis since intersectionality is mainly absent in the analysed gender based violence documents.

To conclude it would be interesting to analyse in more depth the policies in the Czech Republic concerning intersectionality. Furthermore, it would be good to follow the process of Czech policies, if they will include more gender equality and intersectionality in the future.

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